

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LARRY McQUEEN,)	CASE NO. 1:10CV859
)	
PETITIONER,)	
)	JUDGE SARA LIOI
vs.)	
)	
KEITH SMITH, Warden,)	MEMORANDUM OPINION
)	
RESPONDENT.)	
)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. Under the relevant statute:

[...] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and adopts the same. Accordingly, the petition is **DENIED**.

IT IS SO ORDERED.

Dated: March 20, 2012


HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE